

Amgylchedd a Datblygu Cynaliadwy
Environment and Sustainable Development



Llywodraeth Cymru
Welsh Government

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Your Ref: LDP Focussed Changes
12 April 2012

Dear Cath

**Pembrokeshire Local Development Plan
- Consultation on Proposed Focussed Changes**

Thank you for your letter of 28 February and the related documentation you have provided. We note that the Schedule of Proposed Focussed Changes and Minor Editorial Changes is accompanied by a Sustainability Appraisal and a Habitats Regulations Assessment.

The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine. We have considered the proposed Focussed Changes and Minor Editorial Changes in the light of the representations we made to the deposit plan (WG Deposit Rep: 1507/DP) and in accordance with the consistency and coherence & effectiveness tests (principally in accordance with whether satisfactory regard has been given to national planning policy - test C2). We have also taken account of the important updates and other additions made to the evidence base.

Our detailed response to the proposed focussed changes, at the annex to this letter, follows the set-up in our response to the deposit plan, which clarifies the categories A-D we use (WG Deposit Rep No. 1507/DP). We have also used the deposit representation reference numbers that you have provided in Annex 2 of the LDP Consultation Report (submission doc: SD11), together with the related reference contained in the originating WG deposit letter.

Yours sincerely

Mark Newey
Head of Plans Branch

(enclosure – annex)

Annex to WG letter (12 April 2012) in response to the Pembrokeshire LDP Proposed Focussed Changes

N.B. Our response to the proposed focussed changes follows the set-up in our response to the deposit plan, which clarifies the categories A-D we use (WG Deposit Rep No. 1507/DP).

WG Deposit Letter - Rep B.i. Scale and Location of Growth:

WG Deposit Rep 1507/DP/01 re WG Deposit Letter **Rep B.i.a. scale & location of growth: population & household projections, & rep B.i.c. scale & location of growth; housing; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.18etc).**

WG Deposit Rep 1507/DP/02 re WG Deposit Letter **Rep B.i.b. scale & location of growth: settlement strategy (balanced distribution); (submission doc: SD11 – Consultation Report Annex 2 – page AN2.33etc).**

WG Deposit Rep 1507/DP/03 re WG Deposit Letter **Rep B.i.b. scale & location of growth: settlement strategy (settlement boundaries for small local villages); (submission doc: SD11 – Consultation Report Annex 2 – page AN2.92etc).**

WG Deposit Rep 1507/DP/04 re WG Deposit Letter **Rep B.i.c. scale & location of growth; housing; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.61ff).**

WG Deposit Rep 1507/DP/05 re WG Deposit Letter **Rep B.i.d. scale & location of growth; housing policy GN28 residential allocations; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.202ff).**

WG Deposit Rep 1507/DP/06 re WG Deposit Letter **Rep B.i.d. scale & location of growth; housing – LDP Appendix 3 housing requirement & supply table; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.313ff).**

Comments: The Background Paper 'Scale and Location of Growth Addendum 2011 (doc HC1 – Feb 2012) provides improved clarity for the Plan's content.

23/FC, 24/FC, 25/MEC & 26/MEC amend the Plan policy SP7, paras 5.36 & 5.38 and clarify that the housing requirement is based on the **WG 2008-based household projections**.

150/FC, 151/FC, 81/MEC & 100/MEC provide welcome improvement to the Plan's **Appendix 3 Housing Requirement and Supply 2011-21** table.

We note that no change is proposed in relation to settlement boundaries for small local villages (WG Deposit Rep 1507/DP/03).

(We would point out that the Consultation Report and the Proposed Focussed Changes are inconsistent – see page AN2.22 & 2.63 responses to issues 4 & 3 respectively which both indicate no changes.)

We consider that the rewording of **Policy SP7** (23/FC) preferable as it clarifies what the plan is seeking to deliver. However, despite what is contained in the Addendum Background Paper 2012 (doc HC1), policy SP7 continues to represent a **31% overprovision** in

providing for 7521 dwellings to enable delivery of 5,724.

A household to dwelling **converter of x1.08** is now proposed with some clarification why the 8% uplift is appropriate for the Plan period is provided at para 1.19etc of Addendum Background Paper 2012 (doc HC1). We note that this is higher than uplift levels used for other Plan areas in Wales.

Conclusion: It is essential that there is clarity concerning how the Plan will deliver what the strategy is seeking to deliver in terms of scale and location of growth, and we therefore maintain that this matter should be considered at the examination hearings.

We consider that the proposed household to dwelling converter of x1.08 should be explored further at the examination hearings given that this is higher than uplift levels used for other Plan areas in Wales. (Para 1.19etc of Background Paper 'Scale and Location of Growth Addendum 2011 (doc HC1 – Feb 2012)).

WG Deposit Letter - Rep B.ii. Affordable Housing:

WG Deposit Rep 1507/DP/07 re WG Deposit Letter **Rep B.ii.a. affordable housing: need for affordable housing**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.66etc).

WG Deposit Rep 1507/DP/08 re WG Deposit Letter **Rep B.ii.b. affordable housing: maximising affordable housing delivery; target**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.66etc).

WG Deposit Rep 1507/DP/09 re WG Deposit Letter **Rep B.ii.b. affordable housing: maximising affordable housing delivery; commuted sums**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.66etc).

WG Deposit Rep 1507/DP/10 re WG Deposit Letter **Rep B.ii.c. affordable housing: affordable housing target; inclusion of SHG**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.66etc).

WG Deposit Rep 1507/DP/11 re WG Deposit Letter **Rep B.ii.c. affordable housing: affordable housing target; policy GN29 indicative percentages**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.205etc).

Comments: The 'Statement of Affordable Housing Need 2011' (**doc HC16** – Feb2012) provides improved clarity for the Plan's content.

28/FC amends Plan para 5.40 in relation to quantifying the level of **need identified in the LHMA** (WG Deposit Rep 1507/DP/07) . We would note that this FC, together with doc HC16, refers to the 2007 LHMA, whilst Doc HC17 provides an LHMA Update 2012 which shows an increased annual AH shortfall.

The Consultation Report page AN2.68 response to issue 2 (WG Deposit Rep 1507/DP/08) doesn't adequately clarify why the policy SP8 **AH target** of 'approximately 1,450' has been chosen.

29/FC & 102/FC suitably amend Plan paras 5.42 & 6.117 respectively in relation to **commuted sums** (WG Deposit Rep 1507/DP/09).

No change is proposed in relation to **inclusion of SHG** (WG Deposit Rep 1507/DP/10).

101/FC now includes **indicative percentages** within the policy GN29 (WG Deposit Rep 1507/DP/11). However, the precise meaning of criterion 3 of policy GN29 lacks total clarity; the policy justification fails to assist.

Conclusion: Whilst 28/FC & 29/FC together with the 'Statement of Affordable Housing Need 2011' (**doc HC16** – Feb2012) provide improved clarity in relation to the level of need for affordable housing and the affordable housing target, we consider that these matters should be considered at the examination hearings.

WG Deposit Letter - Rep B.iii. Gypsy Traveller Sites:

WG Deposit Rep 1507/DP/12 re WG Deposit Letter **Rep B.iii.a. policy GN32 gypsy traveller sites & pitches; first criterion**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.216etc).

WG Deposit Rep 1507/DP/13 re WG Deposit Letter **Rep B.iii.a. policy GN32 gypsy traveller sites & pitches; third criterion & para 6.130**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.216etc).

WG Deposit Rep 1507/DP/14 re WG Deposit Letter **Rep B.iii.a. policy GN32 gypsy traveller sites & pitches; definition**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.216etc).

WG Deposit Rep 1507/DP/15 re WG Deposit Letter **Rep B.iii.b. policy GN32 gypsy traveller sites & pitches; allocations Kingsmoor Common Kilgetty common land process**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.216etc).

WG Deposit Rep 1507/DP/16 re WG Deposit Letter **Rep B.iii.b. policy GN32 gypsy traveller sites & pitches; allocations - Kingsmoor Common Kilgetty - monitoring**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.216etc).

WG Deposit Rep 1507/DP/17 re WG Deposit Letter **Rep B.iii.b. policy GN32 gypsy traveller sites & pitches; allocations – transit sites/pitches**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.216etc).

Comments: The Gypsy Traveller Accommodation Needs Assessment Addendum 2012 (**doc HC18**) and the Submission Briefing Note; Meeting Gypsy Traveller Accommodation Needs in Pembrokeshire Progress Update March 2012 (**doc HC19**) provide improved clarity for the Plan's content.

106/FC meets one part of WG Deposit Rep 1507/DP/12 to **criterion 1 of Policy GN32b** by deleting 'proven need'.

111/FC & 112/FC suitably amends Plan **para 6.130** to delete footnote 102 (WG Deposit Rep 1507/DP/13).

109/FC & 144/FC suitably removes the incorrect **definition** of gypsy traveller for planning purposes (at Plan para 6.127 & Glossary).(WG Deposit Rep 1507/DP/14).

152/FC (supported by doc HC19) suitably covers the monitoring trigger need for the **Kingsmoor Common Kilgetty** site (WG Deposit Reps 1507/DP/15 &1507/DP/16), although the policy justification makes no mention of the restraint.

105/FC suitably clarifies that there is no need for **transit pitches** (WG Deposit Rep 1507/DP/17)

Conclusion: The addendum Doc HC18 gives the requirement for residential pitches for the 5-year period 2010-15 as 'between 19 and 68', claiming that 'a range figure will be a better approach to identifying **need**'. In addition, 107/FC proposes the deletion of the **Withybush site** allocation for 10 pitches (with reasoning provided in the Consultation Report Annex 2 – page AN2.221 response to issue 8), leaving a reduced allocations at two sites for 23 pitches. Whilst we note the intention with regard to prioritisation of preferred potential sites in doc HC19, it would be prudent for the Council to be able to identify the **next preferable site** should the Inspector consider a need to increase allocations.

WG Deposit Letter - Rep B.iv. Welsh Language:

WG Deposit Rep 1507/DP/18 re WG Deposit Letter **Rep B.iv. Welsh language;** **strategy implications;** (submission doc: SD11 – Consultation Report Annex 2 – page AN2.33etc).

WG Deposit Rep 1507/DP/19 re WG Deposit Letter **Rep B.iv. Welsh language;** **policy SP9 implications;** (submission doc: SD11 – Consultation Report Annex 2 – page AN2.72etc).

WG Deposit Rep 1507/DP/20 re WG Deposit Letter **Rep B.iv. Welsh language;** **policy GN1;** (submission doc: SD11 – Consultation Report Annex 2 – page AN2.108etc).

WG Deposit Rep 1507/DP/21 re WG Deposit Letter **Rep B.iv. Welsh language;** **policy SP9 monitoring;** (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

Comments: We note the Consultation Report page AN2.36 response to issue 6 in relation to the **Plan strategy** (WG Deposit Rep 1507/DP/18).

Proposed changes 45/FC suitably deletes criterion 5 of **policy GN1** (WG Deposit Rep 1507/DP/20). 47/FC deletes the associated justification at Plan para 6.5.

We note the proposed changes 30/FC & 31/FC to **policy SP9** and its justification to introduce mitigation measures; albeit without having included the text at the last sentence of deleted para 6.5. (WG Deposit Rep 1507/DP/19)

152/FC amends the **monitoring** indicators for SP9; however, the appropriateness of indicator no.9 needs to be considered, and the usefulness of indicator no. 10 is questioned. Only one housing allocation is shown to require phasing for Welsh language reasons in the Updated Draft Development Sites SPG Feb 2012 (Submitted as an LDP Supporting Document). (WG Deposit Rep 1507/DP/21)

Conclusion: The key issue is that there should be **no linguistic assessment** to deal with development proposals. Mitigation measures must be to deal only with detail given that the scale and location of growth will already have been determined in the production of the Plan's strategy.

WG Deposit Letter - Rep B.v. Minerals:

WG Deposit Rep 1507/DP/22 re WG Deposit Letter **Rep B.v. Minerals; safeguarding**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.337etc).

WG Deposit Rep 1507/DP/23 re WG Deposit Letter **Rep B.v. Minerals; landbank monitoring**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

WG Deposit Rep 1507/DP/24 re WG Deposit Letter **Rep B.v. Minerals; buffer zones around safeguarding areas**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.185etc).

Comments: We note that no change is proposed to the **proposals map** with regard to differentiation of safeguarded mineral resources (WG Deposit Rep 1507/DP/22).

152/FC amends the **monitoring** indicator and target/trigger for SP6 (WG Deposit Rep 1507/DP/23).

79/MEC suitably deletes the text at Plan para 6.103 (part) in relation to **buffer zones around safeguarding areas** (WG Deposit Rep 1507/DP/24).

Conclusion: We consider that it remains for the examination hearings to determine if the **interim sand and gravel landbank** approach is acceptable (WG Deposit Rep 1507/DP/23).

WG Deposit Letter - Rep B.vi. Deliverability:

WG Deposit Rep 1507/DP/25 re WG Deposit Letter **Rep B.vi. Deliverability; timing**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.33etc).

WG Deposit Rep 1507/DP/26 re WG Deposit Letter **Rep B.vi. Deliverability; GN3 priorities**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.119etc).

WG Deposit Rep 1507/DP/27 re WG Deposit Letter **Rep B.vi. Deliverability; GN38 transport delivery information**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.259etc).

Comments: The 'Site Deliverability Study' (doc HC18 – March 2012) and the Updated Draft Development Sites SPG Feb 2012 (Submitted as an LDP Supporting Document) provide improved clarity for the Plan's content, including in relation to **how and when** development will be realised over the plan period. (WG Deposit Rep 1507/DP/25)

50/FC suitably adds **priorities** for contributions to policy GN3, with affordable housing having top priority (WG Deposit Rep 1507/DP/26). However, there is no clarification in relation to the **community infrastructure levy (CIL)** which is mentioned at Plan para 6.23. The Plan needs to be clear about what mechanism is to be used for infrastructure delivery. The key question is whether it can be delivered by s106 planning obligations without falling foul of the CIL Regulations.

153/FC (with 129/FC) suitably provide **transport scheme delivery** information by means of a proposed new Plan Appendix 5. (WG Deposit Rep 1507/DP/27)

Conclusion: Clarity concerning **deliverability** of the strategy and policies is essential, with suitable consideration of development **priorities** that will ensure strategy deliverability is on target. One important consideration is whether infrastructure delivery can be delivered by s106 planning obligations without falling foul of the **CIL** Regulations.

WG Deposit Letter - Rep C.i. Flexible:

WG Deposit Rep 1507/DP/38 re WG Deposit Letter **Rep C.i. Flexible**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.259etc).

Comments: WG Deposit Rep 1507/DP/38 is listed in the Consultation Report as relating to policy GN38 Transport (page AN2.259); this is incorrect, rather it is part of WG Deposit Letter Rep C.i. - lack of certainty or clarity in relation to the plan being **flexible** to enable it to deal with changing circumstances.

Conclusion: We suggest that it is for the examination to consider the matter of **flexibility** and how it is suitably demonstrated.

WG Deposit Letter - Rep C.ii. Monitoring:

WG Deposit Rep 1507/DP/39 re WG Deposit Letter **Rep C.ii. monitoring**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.259etc & 317etc).

WG Deposit Rep 1507/DP/28 re WG Deposit Letter **Rep C.ii. monitoring; indicators, triggers & targets**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

WG Deposit Rep 1507/DP/29 re WG Deposit Letter **Rep C.ii. monitoring; SP3 strategic employment sites**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

WG Deposit Rep 1507/DP/16 re WG Deposit Letter **Rep C.ii. monitoring; GN32 Kingsmoor Common GT site**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

Also:

WG Deposit Rep 1507/DP/21 re WG Deposit Letter **Rep B.iv. Welsh language; policy SP9 monitoring**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

WG Deposit Rep 1507/DP/23 re WG Deposit Letter **Rep B.v. Minerals; landbank monitoring**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.299etc).

Comments: WG Deposit Rep 1507/DP/39 is listed in the Consultation Report as relating to policy GN38 Transport (page AN2.259); this is incorrect, rather it is part of WG Deposit Letter Rep C.ii. – the mechanisms for **monitoring** being sufficiently clear.

152/FC proposes a replacement Appendix 4 **monitoring framework**.

Conclusion: Whilst 152/FC does provide improvements to the proposed monitoring framework, we suggest that it is for the examination to consider the content.

WG Deposit Letter - Rep C.iii. Waste:

WG Deposit Rep 1507/DP/30 re WG Deposit Letter **Rep C.iii. waste; RWP requirements**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.76etc).

WG Deposit Rep 1507/DP/31 re WG Deposit Letter **Rep C.iii. waste; GN39 B2 sites**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.280etc).

Comments: 32/MEC amends para 5.50, but no change is made to para 5.51 (WG Deposit Rep 1507/DP/30).

134/MEC amends para 6.163 which may meet WG Deposit Rep 1507/DP/31, subject to the evidence.

130/FC (& related 133/FC) deletes 'Land at **Kingsmoor Common, Kilgetty**' (**civic amenity site and waste transfer station**) from the policy GN39 allocations table because the Council (which is landowner & prospective developer) no longer intends to pursue this proposal. We note the Consultation Report page AN2.291 response to issue 11 advises that the Council is pursuing an alternative site solution for SE Pembrokeshire; however, the implications of this for waste management during the plan period are not clear and the Plan fails to provide necessary clarification.

Conclusion: It is vital that sufficient waste management facilities are available to meet requirements for the Plan period.

WG Deposit Letter - Rep C.iv. Flood Risk:

WG Deposit Rep 1507/DP/32 re WG Deposit Letter **Rep C.iv. flood risk**;
(submission doc: SD11 – Consultation Report Annex 2 – page AN2.33etc).

Comments: 48/MEC suitably amends Plan para 6.8 to clarify account taken of **flood risk** and the relationship of allocations to DAM zones C1 & C2. (WG Deposit Rep 1507/DP/32)

WG Deposit Letter - Rep C.v. Renewable Energy:

WG Deposit Rep 1507/DP/33 re WG Deposit Letter **Rep C.v. renewable energy**;
(submission doc: SD11 – Consultation Report Annex 2 – page AN2.126etc).

Comments: 55/FC suitably amends Plan para 6.33 with regard to **District Heating Networks** on larger development sites. (WG Deposit Rep 1507/DP/33)

WG Deposit Letter - Rep D.i. Policy Wording:

WG Deposit Rep 1507/DP/34 re WG Deposit Letter **Rep D.i. policy wording**;
(submission doc: SD11 – Consultation Report Annex 2 – page AN2.1etc).

Comments: We note the Consultation Report page AN2.6 response to issue 15 that no change is proposed to **policy wording** on this matter.

WG Deposit Letter - Rep D.ii. Biodiversity:

WG Deposit Rep 1507/DP/35 re WG Deposit Letter **Rep D.ii. biodiversity**;
footnote 106; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.251etc).

WG Deposit Rep 1507/DP/36 re WG Deposit Letter **Rep D.ii. biodiversity**; **para 6.149**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.251etc).

WG Deposit Rep 1507/DP/37 re WG Deposit Letter **Rep D.ii. biodiversity**; **para 6.148**; (submission doc: SD11 – Consultation Report Annex 2 – page AN2.251etc).

Comments: 120/MEC suitably amends footnote 106 (WG Deposit Rep 1507/DP/35).

122/FC suitably amends Plan para 6.148 (WG Deposit Reps 1507/DP/36 & 1507/DP/37).
